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## **Article 1. Administration**

### **901. Processing Times for Examination Applications and Licenses**

(a) Evaluation and Scheduling. The board shall inform every person applying for licensure as a barber, cosmetologist, esthetician, manicurist, electrologist, or instructor, in writing, within sixty (60) days of receipt of the application (Form # F-34555-BOC, Application for Examination, Rev 7/92), whether the application is complete and has been referred for examination or is deficient and what specific information is required.

(1) When the supplemental information regarding a deficient application is returned to the board, the board shall decide, within five (5) days of receipt, whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant, in writing, within five (5) days of receipt, of what specific information is required.

(b) Examination. The Board shall decide within fifteen (15) working days from the date the applicant is examined whether the applicant meets the requirements for licensure.

(c) License Issuance. The Board shall issue the license to the applicant within fifteen (15) working days from the date the applicant passes the examination.

(d) Processing Times. The minimum, median and maximum times for processing an application requiring examination for licensure as a barber, cosmetologist, esthetician, manicurist, electrologist or instructor, from the time of receipt of the application until the Board of Barber Examiners and Board of Cosmetology decided to issue licenses based upon actual performance of the boards during the two years preceding the proposal of this section, were as follows:

- (1) Minimum: 4 days
- (2) Median: 49 days
- (3) Maximum: 397 days

NOTE: Authority cited: Section 15376, Government Code; and Section 7312, Business and Professions Code.  
Reference: Section 15376, Government Code; and Sections 7321, 7321.5, 7324, 7326, 7330, 7337, 7342, and 7391, Business and Professions Code.

### **902. Processing Times for Apprentice Applications**

(a) Evaluation. The Board shall inform every person applying for licensure as an apprentice, in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Rev 5/94), whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(A) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(b) Notification of Licensure. The Board shall notify the applicant, in writing, within thirty-five (35) days after the fee and completed application have been received, whether the applicant meets the requirements for licensure.

(c) Processing Times. The minimum, median and maximum times for processing an application for licensure as an apprentice, from the time of receipt of the application until the Board of Barber Examiners decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

- (1) Minimum: 1 day
- (2) Median: 15 days
- (3) Maximum: 48 days

NOTE: Authority cited: Section 15376, Government Code; and Section 7312, Business and Professions Code.  
Reference: Section 15376, Government Code; and Sections 7334 and, Business and Professions Code.

### **903. Processing Times for Establishment Applications**

(a) Evaluation. The Board shall inform every person applying for an establishment license in writing, within thirty (30) days of receipt of the application (Form #03M-201, Application for Establishment License, Rev 7/92), whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide, within five (5) days of receipt, whether the application is complete.

(A) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(b) Processing Times. The minimum, median and maximum times for processing an application for an establishment, from the time of receipt of the application until the Board of Barber Examiners and Board of Cosmetology decided to issue the license based upon the actual performances of the boards during the two years preceding the proposal of this section, were as follows:

- (1) Minimum: 11 days
- (2) Median: 52 days
- (3) Maximum: 265 days

NOTE: Authority cited: Section 15376, Government Code; and Section 7312, Business and Professions Code.  
Reference: Section 15376, Government Code; and Section 7347, Business and Professions Code.

#### **904. Enforcement**

(a) A copy of the board's Health and Safety Rules, as specified in Article 12 of the Rules and Regulations, shall be conspicuously posted in:

- (1) Reception areas of both schools and establishments, and
- (2) Theory rooms of schools.

(b) The holder or holders of an establishment license or a mobile unit license, and the person in charge of any such establishment or mobile unit, shall be responsible for implementing and maintaining the Health and Safety Rules in such establishment or mobile unit individually and jointly with all persons in or employed by or working in or on the premises of such establishment or mobile unit.

(c) All licensed barbers, cosmetologists, estheticians, manicurists, electrologists, instructors, or apprentices shall be held individually responsible for implementation and maintenance of the Health and Safety Rules.

(d) All persons performing acts of a barber, cosmetologist, esthetician, manicurist or electrologist, except students in schools, shall, upon request of an authorized representative of the board, present satisfactory proof of identification. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other recognized government entity.

(e) Failure to present valid proof of identification shall be grounds for disciplinary action.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7312, 7313, 7317 and 7404, Business and Professions Code.

#### **905. Posting of Consumer Information Message**

(a) The following consumer information message shall be included at the bottom of the front page of the copy of the Health and Safety Rules, which must be conspicuously posted in accordance with Section 904, in all establishments:

##### **MESSAGE TO THE CONSUMER**

This establishment is licensed by the California State Board of Barbering and Cosmetology. The board can address the following problems:

- Health and Safety (including unsanitary conditions and failure to disinfect instruments after each use)
- Incompetence and Negligence
- Misrepresentation or False Advertising of Services
- Unlicensed Practice of Barbering, Cosmetology or Electrology

If you would like to receive a Consumer Complaint Guide or if you have any unresolved questions regarding services provided in this establishment, please call or write the Board of Barbering and Cosmetology at (916) 445-7061; P.O. Box 944226, Sacramento, California 94244-2260.

(b) The heading of the consumer information message, "Message to the Consumer," shall be printed in at least 36 point boldface type. The body of the consumer information message must be printed in at least 14 point boldface type.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 129(e), and 7404(b), Business and Professions Code.

### **Article 2. Qualifications for Examination**

#### **909. Proof of Training**

(a) Every application for examination in which the applicant is using training received in a school in this state approved by the board in order to qualify for examination must be accompanied by proof of that training.

(b) Proof of training shall be a document, prepared by the school where the applicant completed the qualifying training, that includes all of the following:

- (1) The course title.
- (2) The student's name, address, and date of birth.
- (3) The school's name, address, and school code issued by the board.
- (4) The date training started and the date training was completed at the school completing the training.
- (5) The total number of hours of training the student received.
- (6) If the applicant has done any one of the following, the document shall also include the information as specified for each:
  - (A) If the applicant has received any of the training at another school, the document must specify, for each school attended, the school's name and school code, the number of hours of training received, the date training started, and the last date of attendance.
  - (B) If the applicant has received credit from a course transfer, the document must specify the course and the number of hours of training received, the date training started and the last date of attendance before transferring, and the number of hours of credit received.
  - (C) If the applicant has received credit for holding a manicurist or cosmetician license issued by the board, the document must specify the type of license, the license number, its date of expiration, and the number of hours of credit received.
  - (D) If the applicant has received credit for out-of-state training and/or experience, a copy of the letter from the board granting that credit shall be attached to the document.
- (7) A statement confirming that the student has met the course curriculum requirements as specified by regulation.
- (8) A statement, dated and signed under penalty of perjury by the school and the student, that all the information on the document is true and correct. The statement shall be worded as follows:

"We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct."
- (9) The document must include the name and title of the individual signing for the school clearly printed or typed.
- (c) The information contained in any proof of training document prepared by an approved school in this state must be clearly identified by the number and presented in the order specified in subdivision (b).

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7321, 7321.5, 7324, 7326, 7330, 7331, 7337, and 7391, Business and Professions Code.

### **910. Out-of-State Applicants**

- (a) An applicant who desires to establish eligibility for examination for a license in this state upon the basis of practice, study or training outside this state, or supplementary training in a licensed school in this state, or any combination thereof, shall furnish proof of his or her qualifications to the board as follows:
  - (1) An applicant who desires credit for practices in another state or country shall file with the board, on the form prescribed by it (Form #03E-145, Affidavit of Experience-Form C, Rev 1/91), an affidavit from a disinterested person verifying such practice, together with an authenticated statement from the licensing agency in the state or country where such practice took place showing that the applicant was licensed to engage in such practice, if a license was required therefor.
  - (2) An applicant who has completed any number of hours of study and training in a school in another state or country, and who desires credit for such hours toward study and training in this state, shall file with the board, on the form prescribed by it (Form #03B-144, Out-of-State Beauty School Training Record-Form B, Rev 8/94), an authenticated statement from the school or the training took place showing the number of hours of study and training completed in each subject and when such study and training occurred.
  - (3) An applicant who desires credit for supplementary training completed in a licensed school in this State shall file with the board an authenticated statement from such school showing the number of hours of such training successfully completed in each subject.
- (b) An applicant for examination who is employed on a military reservation to practice any profession licensed under Chapter 10 of Division 3 of the Business and Professions Code must present an authenticated statement from the military reservation verifying the employment and may use the practice obtained to qualify for examination.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7321, 7321.5, 7324, 7326, 7330, 7331, 7337 and 7391, Business and Professions Code.

## **Article 3. Apprenticeship**

### **913. Approval of Apprentice Training Programs**

- (a) A joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer wishing to conduct apprenticeships in barbering, cosmetology, electrology, skin care, or nail care shall be known as apprenticeship program sponsors.
- (b) An applicant seeking board approval as an apprenticeship program sponsor to conduct apprenticeships in barbering, cosmetology, skin care, nail care, or electrology shall:

(1) Submit a written request for board approval of its apprenticeship program and identify the subject matter of the apprenticeship. The request for apprenticeship approval shall be signed by the individual employer or, where the program sponsor is not an individual, by a responsible officer of the organization.

(2) Submit proof that the program sponsor is approved by the California Apprenticeship Council to offer the apprenticeship.

(3) Submit a detailed outline of the proposed training program which demonstrates compliance with the apprenticeship regulations contained in this article.

(4) Submit a copy of the agreement between the program sponsor and the apprentice (hereafter known as the "apprenticeship agreement"). The apprenticeship agreement shall comply with the provisions of the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 (Labor Code section 3070 et seq.) and the regulations adopted pursuant thereto.

(c) An apprenticeship program sponsor shall notify the board within 10 days of any changes to the information filed with the board in accordance with subsection (b) of this section for board approval.

(d) The board shall inform every person applying for approval to act as an apprenticeship program sponsor in writing, within ten (10) days of receipt of their request for approval whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(e) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(f) The minimum, median and maximum times for processing a request for approval of an apprentice training program, from the time of receipt of the application until the Board of Barber Examiners decided to issue the approval based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

- (1) Minimum: 1 day
- (2) Median: 15 days
- (3) Maximum: 48 days

NOTE: Authority cited: Section 7312, Business and Professions Code and Section 15376, Government Code.  
Reference: Section 7333, Business and Professions Code; Sections 3070 and 3078, Labor Code and Section 15376, Government Code.

### **913.1 Withdrawal of Approval: Apprenticeship Program Sponsor**

(a) The board may withdraw or otherwise limit its approval of an apprenticeship program sponsor who is not conducting its apprenticeship program in compliance with the provisions of the laws and regulations of the Barbering and Cosmetology Act (Business and Professions Code sections 7301 et seq.)

(b) (1) A proceeding to withdraw or limit the board's approval of an apprenticeship program sponsor shall be initiated by serving the apprenticeship program sponsor with a notice to show cause. The notice to show cause shall be in writing, shall describe with particularity the nature of the violations, including specific reference to the provisions of law or regulations determined to be violated, and shall contain a proposed order to withdraw or limit the board's approval of the apprenticeship program sponsor.

(2) Where appropriate, a notice to show cause may contain an order of abatement fixing a reasonable time for the abatement of the violations. Where a program sponsor complies with the order of abatement within the time specified, the board shall withdraw its notice to show cause.

(3) In fixing the disciplinary order or order of abatement for a notice to show cause, the board shall give due consideration to the appropriateness of the order with respect to such factors as the gravity of the violations, its impact upon the apprentices participating in the apprenticeship program sponsor's apprenticeship program, its impact on the public, the good faith of the apprenticeship program sponsor, and the history of previous violations.

(c) A notice to show cause shall inform the apprenticeship program sponsor that if it desires a hearing to contest any portion of the notice to show cause, a hearing shall be requested by written notice to the board's executive officer within 30 days of the date of service of the notice to show cause. If a hearing is not requested pursuant to this subsection, the order contained in the notice to show cause shall go into effect on the date specified in the notice to show cause.

(d) A hearing to contest a notice to show cause shall be conducted within 60 days of the board's receipt of the program sponsor's written request for a hearing. Such a hearing shall be before a committee selected by the board. At the conclusion of the hearing, the committee shall prepare or have prepared a written decision of its findings, determinations and order. Such a decision shall be mailed to the program sponsor within 45 days after the conclusion of the hearing.

NOTE: Authority cited: Section 7312, Business and Professions. Reference: Section 7333, Business and Professions

Code

#### **914. Filing of Apprenticeship Application; Processing Time**

(a) A prospective apprentice must file with the board an application for apprenticeship. Application shall be made on Form 35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94.

(b) The board shall inform every person applying for licensure as an apprentice, in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94), whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(c) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(d) The minimum, median and maximum times for processing an application for licensure as an apprentice, from the time of receipt of the application until the Board of Barber Examiners decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

(1) Minimum: 1 day

(2) Median: 15 days

(3) Maximum: 48 days

NOTE: Authority cited: Section 7312, Business and Professions Code and Section 15376, Government Code.  
Reference: Section 7334, Business and Professions Code; and Section 15376, Government Code.

#### **915. Related Training**

(a) Every apprenticeship approved by the board shall consist of an on-the-job training component and a classroom component of related training.

(b) Related training for barber apprentices must provide a minimum of 216 hours of instruction over a two year period. A minimum of 144 of those hours shall cover the theory of barbering and a maximum of 72 hours may be elective training. The 72 hours of elective training may be conducted by classroom instruction or by a seminar or by demonstrations relating to barbering. The elective training shall be verified by course completion certificates or registration records.

(c) Related training for cosmetology, skin care, nail care or electrology apprenticeships must provide a minimum of 220 hours of classroom instruction over a two year period. These hours shall cover the following subjects:

(1) The related training for a cosmetology apprenticeship shall cover the following subjects as they relate to cosmetology: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy and physiology, wet hair styling, thermal hair styling, permanent waving, chemical straightening, haircutting, hair coloring and bleaching, scalp and hair treatment, facials, eyebrow arching and hair removal, makeup, manicuring and pedicuring.

(2) The related training for skin care shall cover the following subjects as they relate to skin care: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy, physiology, skin analysis and conditions, facials, eyebrow arching and hair removal, and make-up.

(3) The related training for nail care shall cover the following subjects as they relate to nail care: cosmetology chemistry, health and safety and hazardous substances, disinfection and sanitation, bacteriology, anatomy and physiology, water and oil manicures, including hand and arm massage, complete pedicure, and application of artificial nails.

(4) The related training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection and sanitation and sterilization, bacteriology, anatomy and physiology, electricity, electrolysis, thermolysis, and high frequency and galvanic currents.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7334, Business and Professions Code.

#### **916. Training Hours and Schedule**

(a) The two years referred to in Section 7335 of the Business and Professions Code means a minimum of thirty-two hundred (3,200) hours of apprenticeship. Full-time apprenticeship means employment and training in an approved program for at least 32 hours per week. No more than eight and one-half hours credit will be allowed for any one

work day nor will credit be allowed for more than five days in one week. The maximum training hours shall not exceed 42-1/2 hours per week.

(b) The two year apprenticeship program begins with the issuance of an apprenticeship license by the board.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333, 7334, and 7345, Business and Professions Code.

### **917. Pre-apprentice Training**

The minimum hours of pre-apprentice training referred to in Section 7334 of the Business and Professions Code shall be thirty-nine (39) hours of instruction in the laws and regulations of the board, basic patron protection and sanitation and disinfection procedures. An applicant for licensure as an apprentice shall complete the pre-apprenticeship training prior to being licensed as an apprentice.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

### **918. Trainer's Scope of Practice**

No licensee shall train an apprentice unless his or her license includes the scope of practice of the apprentice's license.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332 and 7336, Business and Professions Code.

### **919. Board Approved Trainers and Establishments**

(a) A licensee who wishes to train an apprentice shall obtain board approval before employing or training an apprentice. Application for approval of trainers shall be made on a form provided by the board (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Rev. 5/94).

(b) Qualifications for apprentice trainer approval:

(1) Licensee shall possess a current, valid license issued by the board.

(2) Licensee shall have no disciplinary actions pending against him/her nor be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding his or her application to serve as an apprentice trainer.

(3) Licensee is not subject to denial pursuant to Section 480.

(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.

(c) No apprentice shall work or train in an establishment until it has been approved by the board. Application for establishment approval shall be made on the same form specified in subdivision (a).

(d) Qualifications for establishment approval are:

(1) Establishment shall possess a current, valid license issued by the board.

(2) Establishment shall have no disciplinary actions pending against it nor be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding its application for establishment approval.

(3) Is not subject to denial pursuant to Section 480.

(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.

(e) The board shall inform every person applying for approval to act as an apprentice trainer or an apprentice establishment in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94), whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(f) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(g) The minimum, median and maximum times for processing a request for approval, from the time of receipt of the application until the Board of Barber Examiners decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

(1) Minimum: 1 day

(2) Median: 15 days

(3) Maximum: 48 days



NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332, 7333, 7334, 7336, Business and Professions Code.

### **920. Record of Apprentice Training**

The apprentice trainer shall present a copy of apprentice daily work records to the board or its representatives upon demand. These work records shall include the name of the apprentice employed, the dates the apprentice worked, the number of hours worked and the work processes performed on those dates, and the trainer's name.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7334, Business and Professions Code.

### **921. Curriculum for Barber Apprentice Course**

(a) The curriculum for an apprentice enrolled in a barber apprentice course shall consist of at least thirty-two hundred (3200) clock hours of technical instruction and practical operations covering all practices constituting the art of barbering pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin.

(c) The course of instruction in the practical phases of barbering required for an apprentice enrolled in a 3200 hour course shall cover not less than 2600 hours including training in basic haircutting and in hairstyling of all textures of hair. The practical training shall include performance of the following minimum practical operations:

Subject	Minimum Practical Operations
(1) Haircuts and Hairstyles	1500
(2) Shaves	40
(3) Rest Facials	48
(4) Shampoos	160
(5) Scalp Manipulations	80
(6) Hair Waving and Curling	120
(7) Hair Coloring and Tinting	20
(8) Hair Processing and Relaxing	20
(9) Application of chemicals used on the hair; hairpieces; measuring, fitting and servicing of hairpieces and rolling cream massages.	10

All students shall receive sufficient instruction and training in the subjects listed in this section to prepare them to apply for and take the state barber licensing examination and to provide barber services in an establishment.

(d) Technical Instruction 100 Hours

The course of instruction in the theory of barbering required for an apprentice enrolled in a 3,200-hour course shall cover not less than 80 hours of instruction in the subjects listed in Section 7316(a) of the code, including razor cutting, hair processing, blow waving and sales techniques. The theory instruction shall include training in sales techniques which may be completed in theory training or practical training at the discretion of the apprentice trainer.

(e) Health and Safety/Hazardous Substances 20 Hours

The course of instruction shall also include 20 hours of technical instruction in the area of hazardous substances (shall be the course developed by the Board of Barbering and Cosmetology as provided by Section 7389).

(f) Individual Instruction 120 Hours

The course of instruction required for an apprentice enrolled in a 3,200-hour course shall cover not less than 120 hours allotted to the practical and/or the theoretical phases of the course in such manner as the apprentice trainer considers necessary in the individual case.

(g) Additional Instruction 1102 Hours

(h) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

(i) A student shall be properly instructed to cut the hair of and render barber services to all patrons.

NOTE: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(a), 7321.5(d)(1), 7362.5(a) and 7389, Business and Professions Code; Section 3078, Labor Code.

#### **921.1 Curriculum for Cosmetology Apprenticeship Course**

(a) The curriculum for an apprentice enrolled in a cosmetology apprenticeship course shall consist of thirty-two hundred (3200) clock hours of technical instruction and practical operations covering all practices constituting the art of cosmetology pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the apprentice of a complete service on another person or on a mannequin. Such technical instruction and practical operations shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations	20	
(2) Cosmetology Chemistry (Shall include the chemical composition and purpose of cosmetic, nail, hair and skin care preparations, elementary chemical makeup, chemical skin peels, physical and chemical changes of matter.)	20	
(3) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	20	
(4) Theory of Electricity in Cosmetology (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.)	5	
(5) Disinfection and sanitation (Shall include procedures to protect the health and safety of the consumer as well as the technician. The thirty required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection shall be emphasized throughout the entire training period and shall be performed before use of all instruments and equipment.)	20	30
(6) Bacteriology, anatomy and physiology.	15	
(7) Wet Hair Styling (Shall include hair analysis, shampooing, fingerwaving, pin curling and comb-outs.)	25	300
(8) Thermal Hair Styling (Shall include hair analysis, straightening, waving, curling with hot combs and hot curling irons, and blower styling.)		
(A) Thermal styling	20	150
(B) Press and curl	50	
(9) Permanent Waving (Shall include hair analysis, chemical and heat permanent waving.)	20	160
(10) Chemical Straightening (Shall include hair analysis and the use of sodium hydroxide and other base solutions.)	20	50
(11) Haircutting (Shall include hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting.)	20	300
(12) Haircoloring and Bleaching (Shall include hair analysis, predisposition tests, safety precautions, formula mixing, tinting, bleaching, and the use of dye removers. Shall not include any credit for color rinses.)		
(A) Haircoloring	40	150
(B) Bleaching	20	50
(13) Scalp and Hair Treatments (Shall include hair and scalp analysis, scientific brushing, electric and manual scalp manipulation, and other hair treatments.)	5	15
(14) Facials		
(A) Manual (Shall include cleansing, scientific manipulations, packs, and masks.)	5	15
(B) Electrical (Shall include the use of electrical modalities, including dermal lights and electrical apparatus,		

for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face)

10 25

(C) Chemicals (Shall include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification. All practical operations shall be performed in accordance with Section 992 regarding skin peeling.)

10 25

(15) Eyebrow Arching and Hair Removal (Shall include the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.)

10 30

(16) Makeup (Shall include skin analysis, complete and corrective makeup, lash and brow tinting, and the application of false eyelashes.)

15 25

(17) Manicuring and Pedicuring

(A) Water and oil manicure, including nail analysis, and hand and arm massage.

5 20

(B) Complete pedicure, including nail analysis, and foot and ankle massage.

5 14

(C) Artificial nails

1. Acrylic: Liquid and powder brush-ons

10 50 Nails

2. Artificial nail tips

10 50 Nails

3. Nail wraps and repairs

5 20 Nails

(c) Additional Instruction

819 hours

(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

NOTE: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(b), 7321(d)(1) and 7389, Business and Professions Code; Section 3078, Labor Code.

### 921.2. Curriculum for Electrolysis Apprenticeship Course

(a) The curriculum for an apprentice enrolled in an electrolysis apprenticeship course shall consist of thirty-two hundred (3200) clock hours of technical instruction and practical operations covering all practices of an electrologist pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person. Such technical instruction and practical operations shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	10	
(2) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	10	
(3) Sanitation, disinfection and sterilization (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection shall be emphasized throughout the entire training period and shall be performed before use of all instruments and equipment.)	25	10
(4) Bacteriology, anatomy and physiology.	25	

(5) Electricity (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.)	15	
(6) Electrolysis (Shall include the use and study of galvanic current.)	25	90
(7) Thermolysis (Shall include the use and study of high frequency current automatic and manual.)	25	120
(8) A combination of high frequency and galvanic currents	25	120
(c) Additional Instruction		2,340 Hours
(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.		

NOTE: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(d), 7330(d)(1) and 7389, Business and Professions Code; Section 3078, Labor Code.

## 922. Transfers

An apprentice may request from the program sponsor, a transfer from one approved related training class to another or from one approved establishment and trainer to another. The apprentice and the program sponsor shall notify the board within five days of any transfer.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7336, Business and Professions Code.

## 923. Surrender of License

Apprentices who successfully pass the licensing examination or terminate their enrollment in the apprentice training program or whose apprentice enrollment expires shall return to the board any apprentice license and identification photograph previously issued to them.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7335, Business and Professions Code.

## 924. Completion of Apprentice Training Program

(a) Upon successful completion or discontinuance of an apprenticeship program, the apprenticeship program sponsor shall issue to the apprentice a certificate of apprenticeship completion or discontinuance. The certificate of apprenticeship completion or discontinuance shall be signed by the instructor, the apprentice and the apprenticeship program sponsor.

(b) The certificate of apprenticeship completion or discontinuance shall be a document prepared by the program sponsor that contains all of the following:

- (1) Course title.
- (2) The apprentice's name, address, telephone number and date of birth.
- (3) The apprentice license number and social security number.
- (4) The program sponsor name and sponsor code issued by the board.
- (5) The total number of related training hours completed.
- (6) The date the apprentice training was completed or discontinued.
- (7) The total number of hours of on-the-job training the apprentice has completed designated by subject matter.
- (8) Any training received in a prior board-approved apprenticeship program.
- (9) A statement confirming that the apprentice has or has not met the course curriculum requirements.
- (10) A statement, dated and signed under penalty of perjury that all the information on the document is true and correct. The statement shall be worded as follows:

"We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct."

(c) Apprentices shall submit the certificate of apprenticeship completion and all other qualifying documents with their application to take the licensing examination.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7321, 7321.5, 7324, 7326, 7330, 7333 and 7337, Business and Professions Code.

## 925. Statement of Trainer Responsibilities

The owner of the establishment where the apprenticeship is being conducted shall inform, in writing, an employee who is an apprentice trainer of the employee's responsibilities as a trainer. The statement of trainer responsibilities shall include, but not be limited to, those provisions specified in subdivisions (a), (b), (c), (d) and (e) of Section

3078 of the Labor Code. The statement of trainer responsibilities shall be signed by the establishment owner and the apprentice trainer and maintained on the premises of the establishment. The statement of trainer responsibilities shall be presented to the board or its representative upon request.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332, 7333 and 7336, Business and Professions Code.

#### **926. Apprenticeship Credit for Prior Training**

(a) An apprentice who desires to establish eligibility for examination pursuant to Sections 7321 through 7330 of the Business and Professions Code for a license in this state based in part on training received in a prior California apprenticeship program shall furnish proof of his or her qualifications as follows:

- (1) The prior training must have taken place in an apprenticeship program approved by the board.
  - (2) The prior training must have taken place within three years immediately preceding re-enrollment in an apprenticeship program approved by the board.
  - (3) A valid Certificate of Completion or Discontinuance signed by the apprentice, trainer, school representative and program sponsor must be presented to the enrolling program sponsor before prior credit can be granted.
  - (4) Upon completion of the thirty-two hundred (3,200) hour apprenticeship training course, a valid Certificate of Completion or Discontinuance for each enrollment period must accompany the application for examination.
- (b) An apprentice must leave the approved program in good standing to obtain credit for the training received. Good standing is defined as:

- (1) Has not been terminated from employment for inappropriate activity.
- (2) Has returned the apprentice license to the program sponsor for forwarding to the board.
- (3) Has attended related and supplemental training classes pursuant to section 915 CCR.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333, 7334 and 7345 Business and Professions Code.

### **Article 4. Examinations**

#### **928. Preapplication for Examination**

- (a) A preapplication for examination must be submitted to the board postmarked within 7 calendar days from the day the applicant completed 75 percent of the required course hours and curriculum requirements (60 percent for students of the manicurist course) from an approved barbering, cosmetology or electrology school.
- (b) A preapplication for examination shall be in writing, on a form prepared by the board (Form #03A-257, Request for Pre-Application, Rev 1/93).
- (c) The preapplication form shall be submitted with the following:
- (1) The required preapplication fee specified in Section 998;
  - (2) The application for examination, including the required fee and all proof of qualifications of the applicant for examination, except the proof of training document specified in Section 909.
  - (3) A stamped envelope, addressed to the school from which the applicant completed training.
- (d) The preapplication form shall include an anticipated date that the student shall complete his/her course of study, and a statement, signed by the student and the school and certified to under penalty of perjury, that the student has completed the curriculum requirements and number of clock hours required to submit a preapplication.
- (e) Within 15 calendar days of receipt of the preapplication the board shall notify the applicant in writing, at the school from which the applicant completed training, that the preapplication is either complete or is deficient and what information or documentation is required to complete the application.
- (1) If the application is complete, the notification (that portion of form 03A-257 filled out by the board) shall also contain the applicant's scheduled examination date.
  - (2) If a preapplication is deficient, the applicant shall not be scheduled for examination until after the proof of training document is submitted to the board.
- (f) The proof of training document and the portion of form 03A-257 filled out by the board must be mailed to the board, postmarked within three working days after the applicant's anticipated date of course completion. If this requirement is not met, the applicant will not be permitted to be examined on the scheduled date and will be rescheduled for examination.
- (g) Within five working days of receipt of the proof of training document the board shall notify the applicant in writing that it is either complete or is deficient and what information or documentation is required to complete the document.
- (1) If the proof of training document is complete, the board will mail an examination admission card to the applicant.
  - (2) If the proof of training document is deficient, the applicant will not be permitted to be examined on the scheduled date and will be rescheduled for examination at the time of receipt of a complete proof of training document.

NOTE: Authority cited: Section 7312, 7337.5, Business and Professions Code. Reference: 7337.5, Business and Professions Code.

### **929. Good Cause for Failure to Appear for Examination**

The board defined "good cause" for the purpose of Section 7343 of the Business and Professions Code as follows: Personal illness, auto accident, death or severe illness in the immediate family or other severe physical or emotional hardship. Any condition to be considered good cause by the board must be verified in writing (i.e., letter from a physician, official accident report, obituary notice).

NOTE: Authority cited: Section 7312 and 7343, Business and Professions Code. Reference: Section 7343, Business and Professions Code.

### **931. Interpreter and Interpreter/Model**

(a) An applicant for the barber, cosmetologist, esthetician, manicurist, or electrologist examination may use an Interpreter or an Interpreter/Model during examination if the applicant is unable to speak, read, or write in the English language at a 10th grade level.

(b) The applicant shall file with the application for examination, or not later than thirty (30) days prior to the date of the examination, a notice of permission to use an Interpreter or Interpreter/Model on a form prescribed by the board (Form #03B-125, Form G, Request for Use of an Interpreter or Interpreter/Model, Rev 8/94) and executed by the applicant under penalty of perjury.

(c) The person designated by the applicant to act as an Interpreter or an Interpreter/Model shall file with the board, not later than fifteen (15) days prior to the date of the examination and on a form prescribed by the board (Form #03A-126, Form H, Rev 8/94) and executed by the person under oath or penalty of perjury, a request to act as an interpreter or an interpreter/model, along with two 1 1/2 x 1 1/2 inch signed photographs of himself or herself.

(d) The Interpreter or Interpreter/Model shall be a person who is fluent both in English and in the native language of the applicant and must certify to this fact in writing under penalty of perjury.

(e) An Interpreter may interpret only for the written portion of the examination.

(f) An Interpreter/Model may interpret for the written and practical portions of the examination and shall serve as the model for the practical examination.

(g) Male models may only be used for the barber, manicurist, and electrologist examinations.

(h) A person shall be allowed to act as an Interpreter or Interpreter/Model only once in two (2) years in any examination.

(i) An Interpreter shall not be used in the barber or cosmetology instructor examinations.

(j) Disabled persons are entitled to access to examination activities in a manner that is equal to that offered non-disabled persons and reasonable accommodation will be provided all such persons with medically-certified documentation.

(k) The following persons are prohibited from acting as Interpreter or Interpreter/Models:

- (1) Persons less than 15 years of age.
- (2) Persons who are current or former students in barbering or any of the branches of cosmetology.
- (3) Persons who are currently or have been formerly licensed as an operator or an instructor by this state or any other state in barbering or any of the branches of cosmetology.
- (4) Persons who are currently or have been formerly enrolled in a barber apprentice training program.
- (5) Persons who are currently or have been formerly enrolled in a cosmetologist apprentice training program.
- (6) Persons who have been formerly Junior Operators or Junior Electrologists.
- (7) Persons who are currently or have been formerly owners or employees of any school of barbering, cosmetology or electrology.

(l) For a period of one (1) year from the date that any person served as an Interpreter or Interpreter/Model, that person shall be ineligible to apply to the Board of Barbering and Cosmetology for a license in barbering or any of the branches of cosmetology from which he or she provided Interpreter or Model services.

(m) If the board determines that any of the information furnished pursuant to this section is false in a material respect, it may void the applicant's examination, if any.

(n) Persons who are only reading the examination to the applicant, but not interpreting to another language, will not be permitted.

(o) If the board determines that an Interpreter or Interpreter/Model is providing answers during the examination or any other material assistance to the applicant other than translating during the conduct of the examination, it shall disqualify the Interpreter or Interpreter/Model and void the applicant's examination.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7338 and 7340, Business and Professions Code.

### **932. Passing Grades in Examinations**

An overall average of 75 percent shall be the passing grade for examinations.

- (a) Examinations consist of two parts: a practical part and a written part.
- (b) If the applicant fails to receive a passing grade for the barbering examination, the applicant will be required to be reexamined in the practical part and the written part of the examination.
- (c) The total possible examination score for the barbering exam consists of 100 points: The practical part is valued at 80 points and the written portion is valued at 20 points.
- (d) If the applicant fails to receive a passing grade but only fails one part of any cosmetology or electrology examination, the applicant will be required to be re-examined only in the part failed, provided the re-examination takes place within one year after the notice of the results of the examination in which the applicant failed one part has been delivered.
- (e) The total possible examination score for any cosmetology or electrology exam consists of 400 points: The practical part is valued at 300 points and the written portion is valued at 100 points.
- (f) To pass any of the cosmetology or electrology examinations, the applicant must achieve at least 300 points overall including a score of at least 225 in the practical part and at least 70 in the written part.

NOTE: Authority cited: Sections 7312 and 7340, Business and Professions Code. Reference: Sections 7338, 7340, 7341, and 7342, Business and Professions Code.

### **933. Inspection of Examination Papers**

(a) An applicant who has failed the written examination may inspect his or her answer sheet for that examination by making a written request to the board within ninety (90) days after notification of the examination result. Such an inspection shall be conducted in the city where the examination was taken or, at the election of the applicant, in the board office.

(b) At the time of such inspection, no one other than the applicant and a representative of the board shall have access to the written examination papers. Only the applicant's answer sheet for the written examination shall be available for inspection to an applicant.

NOTE: Authority cited: Sections 7312 and 7340, Business and Professions Code. Reference: Sections 496 and 7341, Business and Professions Code.

### **934. Examination Appeal**

- (a) An applicant who has received a fail score on the written or practical examination shall be eligible to appeal to the board for a review of his or her examination results.
- (b) The appeal shall be filed with the board within fifteen (15) days after the date of notification of his or her examination results. The appeal shall be made in writing, and it shall state the reason for appeal. The board shall only consider appeals regarding significant procedural error in or adverse environmental conditions during the test administration.
- (c) The review of the appeal shall be conducted by one or more board members, or the board's designee, to determine if there is clear and convincing evidence to sustain the applicant's appeal. Such findings shall be subject to the approval of the board.
- (d) Within thirty (30) days after the board has approved the determination on appeal, the applicant shall be notified in writing of the results of his or her appeal. In acting on appeals, the board may take such action as it deems appropriate, including the issuance of a license where the board has determined that the applicant has demonstrated the required competence.

NOTE: Authority cited: Sections 7312 and 7340, Business and Professions Code. Reference: Sections 7340 and 7341, Business and Professions Code.

## **Article 5. Mobile Units**

### **937. Licensing and Operation**

- (a) An application for a license to operate a mobile unit shall be on a form prescribed and provided by the board (Form #03A-202, Application for License to Operate A Mobile Unit, Rev 1/93), accompanied by such evidence, statements, or documents as required by Section 7355(b) of the Business and Professions Code.
- (b) The geographical boundaries within which the mobile unit is licensed to operate shall include only the cities and counties within which the mobile unit has permits to provide services, and shall extend no further than a 50 mile radius from the permanent base address from which the mobile unit operates.
- (c) All Health and Safety Rules governing barbering and cosmetology establishments (as contained in Article 12 of these regulations) shall apply to mobile units unless otherwise specified.
- (d) All storage cabinet doors shall have safety catches.

- (e) All equipment which is not stored in storage cabinets shall be securely anchored to the mobile unit.
- (f) No services shall be performed while the mobile unit is in motion.
- (g) A ramp or lift shall be provided for access to the mobile unit if providing services for disabled individuals.
- (h) The owners of mobile units shall be responsible for adherence to all local, state and federal laws and regulations regarding the operation of vehicles to be used as mobile units.
- (i) An itinerary showing dates, locations, and times of service shall be made available, upon request, to an authorized representative of the board.
- (j) The board shall inform the applicant in writing that the application is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application within 10 calendar days of receipt of an application for a license to operate a mobile unit.
- (k) The board shall inform the applicant in writing of its decision regarding an application within 21 calendar days from the date of filing of a completed application. The decision is contingent upon the applicant scheduling an appointment with the board, or its representative, for an inspection of the mobile unit for final approval, pursuant to Section 7355(a) of the Business and Professions Code, within seven calendar days of receipt of the notice of a completed application.
- (l) The inspection for final approval shall be conducted to ensure compliance with Sections 7354 and 7357(b) of the Business and Professions Code.

NOTE: Authority cited: Sections 7312 and 7357, Business and Professions Code. Reference: Sections 7354, 7355 and 7357, Business and Professions Code.

## Article 6. Schools

### 940. Equipment for Schools of Cosmetology

The minimum equipment for a school of cosmetology shall be as follows:

- (a) Sufficient electrical equipment and dermal lights for giving instruction in skin care and electrical facials.
- Note:** Equipment shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face.
- (b) Mannequins, with full head of hair ..... 10
- (c) Time clocks .. ..... 1
- (d) Shampoo bowls ..... 5
- (When the average daily attendance exceeds 50 students, additional shampoo bowls shall be added at the ratio of one for each 25 students in average daily attendance in excess of 50)
- (e) Dryers..... 12
- (When the average daily attendance exceeds 50 students, additional dryers shall be added at the ratio of one for each 10 students in average daily attendance in excess of 50)
- (f) Facial chairs or facial couches ..... 4
- (When the average daily attendance exceeds 50 students, additional facial chairs or facial couches shall be added at the ratio of one for each 25 students in average daily attendance in excess of 50)
- (g) Manicure stations ..... 6
- (When the average daily attendance exceeds 50 students, additional manicure tables shall be added at the ratio of one for each 10 students in average daily attendance in excess of 50)
- (h) Electrical cap ..... 1
- (When the average daily attendance exceeds 50 students, additional electrical caps shall be added at the ratio of one for each 25 students in average daily attendance in excess of 50)
- (i) Thermal hair straighteners
- (1) Electric comb ..... 1
- (2) Non-electric comb..... 3
- (3) Stove (for non-electric combs)..... 1
- (4) Electric curling iron..... 1
- (5) Non-electric curling iron (at least two sizes)..... 3
- (6) Stove (for non-electric curling irons) ..... 1

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7362.1(a), Business and Professions Code.

### 941. Approval of Schools

(a) To obtain board approval, a private post secondary school shall submit to the board a request for approval that shall consist of the following:

- (1) A document, signed by the owner or owners of the school and certified under penalty of perjury, stating that the school will provide a course of instruction approved by the board and, for cosmetology schools, that all requirements of section 7362.1 of the Business and Professions Code relative to school approval have been met.



(2) A copy of the valid, current Institutional Approval Certificate issued to the school by the Council for Private Post Secondary and Vocational Education.

(b) Within ten working days after receipt of the request for approval as specified in subdivision (a), the board shall notify the school in writing that either the approval is granted or that the request for approval is deficient and what information is required to make the request for approval complete.

(c) The provisions of subdivision (a) must be met for all new schools and schools that have changed ownership or location.

(d) If an approved school no longer meets the requirements of sections 7362 or 7362.1 of the Business and Professions Code, it must notify the board in writing within seven calendar days of what provisions it does not meet.

NOTE: Authority cited: Sections 7312, Business and Professions Code. Reference: Sections 7362 and 7362.1, Business and Professions Code.

## **Article 7. Continuing Education**

### **942. Requirements for Instructors**

(a) All instructors shall retain for at least four years:

(1) Certificates of completion of the continuing education courses obtained through a recognized provider.

(2) Information regarding the completion of continuing education courses obtained through an approved provider, including name of provider, course title and number, date completed, and number of units or hours.

(b) Any licensee who knowingly furnishes false or misleading information to the board regarding continuing education hours shall be subject to disciplinary action.

(c) Of the 30 hours of approved continuing education in the teaching of vocational education required during each two-year licensing period, a maximum of 15 hours may be in teaching methods relative to barbering and cosmetology practical operations.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code. Reference: Sections 7392, 7393 and 7394, Business and Professions Code.

### **943. Approved Providers**

(a) The following continuing education providers have been approved by the board to provide continuing education:

(1) Any local education agency, currently approved by the California Commission on Teacher Credentialing, which offers a program of personalized preparation for a vocational education teaching credential.

(2) Public and private postsecondary schools accredited by the Western Association of Schools and Colleges.

(b) A person or organization may request approval to act as a continuing education provider by submitting the request in writing to the board.

(c) An approved continuing education provider may request course approval from the board by submitting a course approval request which includes course description of the proposed course. The content of the course or program shall be designed for continuing education in the teaching of vocational education and may include, but not be limited to, development of understanding and competency in the learning process, instructional techniques, curriculum and media, instructional evaluation, counseling and guidance, and the special needs of students. All continuing education course work shall be based upon stated educational objectives. Continuing education course work shall not be designed to promote the commercial products of the provider or of any persons giving financial assistance to the provider.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code. Reference: Section 7392, Business and Professions Code.

### **944. Course Provider Responsibilities**

(a) Approved providers shall issue a document of proof, e.g., gradeslip or transcript, to each licensee to show that he or she has met the established criteria for successful completion of a course. The certificate of proof documenting successful completion shall contain the following information:

(1) Name of student and license number.

(2) Course title.

(3) Provider name (as approved by the board), address, and provider number.

(4) Date of course.

(5) Number of continuing education hours completed.

(6) Signature of instructor and/or provider, or provider designee.

(b) Course verification shall be issued by the provider within ninety (90) days after the completion of the course, not to exceed ninety days.

(c) Approved providers shall maintain course verification certificates for at least four years from the date the course was completed.

(d) Approved providers shall have a written and published policy, available on request, which provides information on:

- (1) Refunds in cases of non-attendance.
- (2) Time period for return of fees.
- (3) Notification if course is canceled.

(e) Approved providers may not grant partial credit for continuing education courses.

(f) Approved providers shall notify the board within thirty (30) days of any changes in organizational structure of a provider and of a change in the person(s) responsible for the provider's continuing education course(s).

(g) (1) Within seven (7) calendar days of receipt of an application for approval as an approved provider, the board shall inform the applicant in writing that the application is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application.

(2) Within seven (7) calendar days from the date of filing of a completed application for approval as an approved provider, the board shall inform the applicant in writing of its decision regarding an application.

(h) (1) Within ten (10) calendar days of receipt of an application for approval of a continuing education course, the board shall inform the applicant in writing that the application is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application.

(2) Within forty-two (42) calendar days from the date of filing of a completed application for approval of a continuing education course, the board shall inform the applicant in writing of its decision regarding an application.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code; Section 15376, Government Code. Reference: Section 7392, Business and Professions Code; Section 15376, Government Code.

#### **945. Course Approval**

(a) An approved provider shall submit to the board all material deemed necessary to judge the quality of the program on the basis of the factors stated in subdivision (b). The board shall grant or deny approval on the basis of educational quality and compliance with all requirements of law and regulation.

(b) For a course to be granted approval, it must:

- (1) Be sponsored by an approved provider.
- (2) Include a certificate of completion.
- (3) Include some mechanism (test, self-administered or otherwise) whereby participants can evaluate comprehension of material.
- (4) Include stated goals and specific instructional objectives.
- (5) Include a complete and sound syllabus.
- (6) Consist of material which is accurate, orderly, complete, and applicable to the teaching of vocational education.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code. Reference: Section 7392, Business and Professions Code.

#### **946. Provider Advertising**

Information disseminated by a recognized provider publicizing continuing education shall be true and not misleading and shall include the following:

- (a) The statement "Provider recognized by the Calif. Board of Barbering and Cosmetology, Provider Number \_\_\_\_ for \_\_\_\_ hours."
- (b) Provider's policy on refunds in cases of non-attendance by the registrant.
- (c) A clear, concise description of the course content and/or objectives.
- (d) Provider name as officially on file with the board.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code. Reference: Section 7392, Business and Professions Code.

#### **947. Continuing Education Hours**

- (a) Each hour of theory shall be accepted as one clock hour of continuing education.
- (b) One academic quarter unit is equal to 10 clock hours of continuing education.
- (c) One academic semester unit is equal to 15 clock hours of education.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code. Reference: Section 7392, Business and Professions Code.

#### **948. Provider Instructor Qualifications**

Instructors teaching approved continuing education courses shall either hold a baccalaureate or higher degree from an accredited college or university and validated experience in the subject matter; or holds a credential to teach vocational education full time in a public school in this state.

NOTE: Authority cited: Section 7392, Business and Professions Code. Reference: Section 7392, Business and Professions Code.

#### **949. Authority to Audit Records and Rescind Provider Status**

- (a) The board retains the right and authority to audit records or monitor courses given by any recognized provider.
- (b) The board shall audit licensee records regarding continuing education hours completed as it deems necessary to assure that the continuing education requirements are met.
- (c) The board may rescind recognized provider status if the provider has disseminated any false or misleading information in connection with the continuing education program, or if the provider has failed to conform to the provisions of this Article.

NOTE: Authority cited: Sections 7312 and 7392, Business and Professions Code. Reference: Sections 7392 and 7395, Business and Professions Code.

### **Curricula**

#### **950.1. Curriculum for Barbering Course**

- (a) The curriculum for students enrolled in a barbering course shall consist of fifteen hundred (1500) clock hours of technical instruction and practical operations covering all practices constituting the art of barbering pursuant to Section 7316 of the Barbering and Cosmetology Act.
- (b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin.
- (c) The course of instruction in the practical phases of barbering required for a student enrolled in a 1,500-hour course shall cover not less than 1,300 hours including training in basic haircutting and in hairstyling of all textures of hair at the discretion of the school owner or instructor. The practical training shall include performance of the following minimum practical operations:

Subject	Minimum Practical Operations
(1) Haircuts and Hairstyles	750
(2) Shaves	40
(3) Rest Facials	20
(4) Shampoos	25
(5) Scalp Manipulations	20
(6) Hair Waving and Curling	20
(7) Hair Coloring and Tinting	5
(8) Hair Processing and Relaxing	5
(9) Application of chemicals used on the hair; hairpieces; measuring, fitting and servicing of hairpieces and rolling cream massages.	

All students shall receive sufficient instruction and training in the subjects listed in this section to properly prepare them to apply for and take the examination given by the board and to provide barber services in an establishment.

- (d) The course of instruction in the theory of barbering required for a student enrolled in a 1,500-hour course shall cover not less than 80 hours of instruction in the subjects listed in Section 7316(a) of the code, including razor cutting, hair processing, blow waving and sales techniques. The theory instruction shall include training in sales techniques which may be completed in theory training or practical training at the discretion of the school owner or instructor. The course of instruction shall also include 20 hours of technical instruction in the area of hazardous substances (shall be the course developed by the Board of Barbering and Cosmetology as provided by Section 7389).
- (e) The course of instruction required for a student enrolled in a 1,500-hour course shall cover not less than 120 hours allotted to the practical and/or the theoretical phases of the course in such manner as the owner or instructor considers necessary in the individual case.
- (f) A student shall be properly instructed to cut the hair of and render barber services to all patrons.

NOTE: Authority cited: Sections 7312 and 7362(b), Business and Professions Code. Reference: Sections 7316(a), 7321.5(d)(1), 7362.5(a) and 7389, Business and Professions Code.

#### **950.2. Curriculum for Cosmetology Course.**

- (a) The curriculum for students enrolled in a cosmetologist course shall consist of sixteen hundred (1600) clock hours of technical instruction and practical operations covering all practices constituting the art of cosmetology pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin. Such technical instruction and practical operations shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	20	
(2) Cosmetology Chemistry (Shall include the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Shall also include the elementary chemical makeup, chemical skin peels, physical and chemical changes of matter.)	20	
(3) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	20	
(4) Theory of Electricity in Cosmetology (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.)	5	
(5) Disinfection and sanitation (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection should be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.)	20	10
(6) Bacteriology, anatomy and physiology.	15	
(7) Wet Hair Styling (Shall include hair analysis, shampooing, fingerwaving, pin curling and comb-outs.)	25	200
(8) Thermal Hair Styling (Shall include hair analysis, straightening, waving, curling with hot combs and hot curling irons, and blower styling.)		
(A) Thermal styling	20	40
(B) Press and curl		20
(9) Permanent Waving (Shall include hair analysis, chemical and heat permanent waving.)	20	80
(10) Chemical Straightening (Shall include hair analysis and the use of sodium hydroxide and other base solutions.)	20	25
(11) Haircutting (Shall include hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting.)	20	80
(12) Haircoloring and Bleaching (Shall include hair analysis, predisposition		

tests, safety precautions, formula mixing, tinting, bleaching, and the use of dye removers. Shall not include any credit for color rinses.)

(A) Haircoloring	40	50
(B) Bleaching		20
(13) Scalp and Hair Treatments (Shall include hair and scalp analysis, scientific brushing, electric and manual scalp manipulation, and other hair treatments.)	5	20
(14) Facials		
(A) Manual (Shall include cleansing, scientific manipulations, packs, and masks.)	5	10
(B) Electrical (Shall include the use of electrical modalities, including dermal lights and electrical apparatus, for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face.)	10	15
(C) Chemicals (Shall include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification. All practical operations must be performed in accordance with Section 992 regarding skin peeling.)	10	15
(15) Eyebrow Arching and Hair Removal (Shall include the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.)	10	20
(16) Makeup (Shall include skin analysis, complete and corrective makeup, lash and brow tinting, and the application of false eyelashes.)	15	10
(17) Manicuring and Pedicuring		
(A) Water and oil manicure, including nail analysis, and hand and arm massage.	5	15
(B) Complete pedicure, including nail analysis, and foot and ankle massage.	5	10
(C) Artificial nails		
1. Acrylic: Liquid and powder brush-ons	10	50 Nails
2. Artificial nail tips	10	50 Nails
3. Nail wraps and repairs	5	20 Nails
(c) The board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service record cards.		
(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.		

NOTE: Authority cited: Sections 7312, 7362 and 7362.1(c), Business and Professions Code. Reference: Sections 7316(b), 7321(d)(1), 7362, 7362.5(b) and 7389, Business and Professions Code.

### 950.3. Curriculum for Skin Care Course

(a) The curriculum for students enrolled in a skin care course shall consist of six hundred (600) clock hours of technical instruction and practical operations covering all practices of an esthetician, pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person. Such technical instruction and practical operations shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	10	
(2) Chemistry pertaining to the practices of an esthetician. (Shall include the chemical composition and purpose of cosmetic and skin care preparation. Shall also include the elementary chemical makeup, chemical skin peels, physical and chemical changes of matter.)	10	
(3) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	20	
(4) Electricity (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.)	10	
(5) Disinfection and sanitation (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection should be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.)	10	10
(6) Bacteriology, anatomy, physiology, skin analysis and conditions.	15	
(7) Facials (A) Manual (Shall include cleansing, scientific manipulations, packs and masks.)	20	40
(B) Electrical (Shall include the use of electrical modalities, including dermal lights and electrical apparatus, for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles of the body or face.)	30	60
(C) Chemicals (Shall include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beauti-		

fication. All practical operations must be performed in accordance with Section 992 regarding skin peeling.)

20 40

(8) Eyebrow Arching and Hair Removal (Shall include the use of wax, tweezers, manual or electrical, and depilatories for the removal of superfluous hair.)

(A) Tweezers

5 10

(B) Wax and depilatories

20 40

(9) Make-up

(Shall include skin analysis, complete and corrective make-up, and the application of false eyelashes.)

20 40

(c) The board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service record cards.

(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

NOTE: Authority cited: Sections 7312, 7362 and 7364, Business and Professions Code. Reference: Sections 7316(c)(1), 7324(d)(1), 7362, 7364 and 7389, Business and Professions Code.

#### 950.4. Curriculum for Nail Care Course

(a) The curriculum for students enrolled in a nail care course shall consist of four hundred (400) clock hours of technical instruction and practical operations covering all practices of a manicurist, pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin. Such technical instruction and practical operations shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	10	
(2) Cosmetology Chemistry related to manicuring practices. (Shall include the chemical composition and purpose of nail care preparations.)	10	
(3) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	15	
(4) Disinfection and sanitation (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection should be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.)	10	10
(5) Bacteriology, anatomy and physiology.	10	
(6) Water and oil manicures, including hand and arm massage.	15	40
(7) Complete pedicure, including foot and		

ankle massage.	10	20
(8) Application of Artificial Nails		
(A) Acrylic: Liquid and powder brush-ons	15	80 Nails
(B) Nail tips	10	60 Nails
(C) Nail wraps and repairs	5	40 Nails
(c) The board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service record cards.		
(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.		

NOTE: Authority cited: Sections 7312, 7362 and 7365, Business and Professions Code. Reference: Sections 7316(c)(2), 7326(d)(1), 7362, 7365 and 7389, Business and Professions Code.

### 950.5. Curriculum for Electrolysis Course

(a) The curriculum for students enrolled in an electrolysis course shall consist of six hundred (600) clock hours of technical instruction and practical operations covering all practices of an electrologist pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person. Such technical instruction and practical operations shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	10	
(2) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	10	
(3) Sanitation, disinfection and sterilization (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection should be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.)	25	10
(4) Bacteriology, anatomy and physiology.	25	
(5) Electricity (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.)	15	
(6) Electrolysis (Shall include the use and study of galvanic current.)	25	45
(7) Thermolysis (Shall include the use and study of high frequency current automatic and manual.)	25	60
(8) A combination of high frequency and galvanic currents	25	60
(c) The board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service record cards.		



(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

NOTE: Authority cited: Sections 7312 and 7362, Business and Professions Code. Reference: Sections 7316(d), 7330(d)(1), 7362, 7366, and 7389, Business and Professions Code.

#### **950.6. Curriculum for Barber Instructor Course**

(a) The curriculum for students enrolled in a barber instructor course shall consist of six hundred (600) clock hours of technical instruction and practical operations in teaching the art of barbering, as defined in section 7316 of the Barbering and Cosmetology Act.

(b) Technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the instructor trainee of teaching techniques and principles.

(c) The course of instruction shall include:

Subject	Minimum Hours of Technical Instruction
(1) Teaching Techniques	40
(2) Theory of Barbering	110
(3) Practical Phases of Barbering	110

NOTE: Authority cited: Sections 7312, 7362 and 7390, Business and Professions Code. Reference: Sections 7362, 7390 and 7391(d)(1), Business and Professions Code.

#### **950.7. Curriculum for Cosmetology Instructor Course**

(a) The curriculum for students enrolled in a cosmetology instructor course shall consist of six hundred (600) clock hours of technical instruction and practical operations in teaching the art of cosmetology, as defined in section 7316 of the Barbering and Cosmetology Act.

(b) Technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the instructor trainee of teaching techniques and principles.

Subject	Minimum Hours of Technical Instruction	Minimum Hours of Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	10	

#### **(2) Preparatory Instruction.**

(A) Instructional techniques: method of instruction; lecture; demonstration; performance; communication skills; instructional aids; and use of questions to promote learning.

40

(B) Organization techniques: 4 step teaching method; performance objectives; and learning domains, etc.

30

50

(C) Lesson planning: subject; title; outlines; development; and visual aids, etc.

60

50

(D) Techniques of evaluation: purpose of tests; types of test; test administration; scoring; and grading, etc.

10

(3) Conducting classroom and technical instruction and demonstrations for three (3) or more students on all practices of cosmetology, including the Barbering and Cosmetology Act and Rules and Regulations. (Shall be conducted under supervision of a licensed instructor.)

140

(4) Supervising and Training of students while they are practicing the art of cosmetology on a live person or mannequin

in a classroom or laboratory.

100

(c) A student enrolled in the six hundred (600) hour instructor training course may not engage in the school in a complete service connected with any practice or combination of practices of cosmetology upon a patron who is paying for services or materials and shall not be permitted to enroll in a second course except following examination failure after the preceding course.

(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

NOTE: Authority cited: Sections 7312, 7362 and 7390, Business and Professions Code. Reference: Sections 7362, 7390 and 7391(d)(1), Business and Professions Code.

#### **950.8. Curriculum for Barber Crossover Course for Cosmetologists**

(a) The curriculum for students enrolled in a barber crossover course for cosmetologists shall consist of a minimum of four hundred (400) clock hours of technical instruction and practical operations covering those barber practices that are not a part of the required training or practice of a cosmetologist.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin.

(c) A barber school desiring to teach a barber crossover course as prescribed in Section 7321.5 of the code shall apply to the board for approval of such program. Such barber school shall include with its request for approval a copy of the curriculum it proposes to offer. Such curriculum shall include sufficient training in the various aspects of barbering to prepare the student properly for the barber examination and to provide barber services in an establishment. Hazardous substances shall be the course developed by the Board of Barbering and Cosmetology as provided by Section 7389.

(d) A barber school which offers a 400-hour course shall provide a completion notice to each student who completes that course. Such notice shall be included with a proof of training document pursuant to Section 909.

NOTE: Authority cited: Sections 7312 and 7362, Business and Professions Code. Reference: Sections 7316(a), 7321.5(d)(5) and 7362, Business and Professions Code.

#### **950.9. Curriculum for Cosmetology Crossover Course for Barbers**

(a) The curriculum for students enrolled in a cosmetology crossover course for barbers shall consist of a minimum of four hundred (400) clock hours of technical instruction and practical operations covering those cosmetological practices that are not a part of the required training or practice of a barber.

(b) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical operation shall mean the actual performance by the student of a complete service on another person or on a mannequin. Such instruction shall include:

Subject	Minimum Hours of Technical Instruction	Minimum Practical Operations
(1) The Barbering and Cosmetology Act and the Board's Rules and Regulations.	10	
(2) Cosmetology Chemistry (Shall include the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Shall also include the elementary chemical makeup, chemical skin peels, physical and chemical changes of matter.)	5	
(3) Health and Safety/Hazardous Substances (Shall include training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.)	20	
(4) Theory of Electricity in Cosmetology (Shall include the nature of electrical current, principles of operating electrical devices, and the various safety precautions		

used when operating electrical equipment.)	5	
(5) Disinfection and sanitation (Shall include procedures to protect the health and safety of the consumer as well as the technician. The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection should be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.)	10	10
(6) Bacteriology, anatomy and physiology.	5	
(7) Wet Hair Styling (Shall include hair analysis, fingerwaving, pin curling and comb-outs.)	10	35
(8) Thermal Hair Styling (Shall include hair analysis, straightening, waving, curling with hot combs and hot curling irons.)	5	15
(9) Permanent Waving (Shall include hair analysis, sectioning patterns, chemical and heat permanent waving.)	10	35
(10) Chemical Straightening (Shall include hair analysis and the use of sodium hydroxide and other base solutions.)	5	10
(11) Haircutting (Shall include hair analysis, basic guideline and sectioning, the use of the razor, scissors for wet and dry cutting.)	2	10
(12) Haircoloring and Bleaching (Shall include hair analysis, predisposition tests, safety precautions, formula mixing, tinting, bleaching, and the use of dye removers. Shall not include any credit for color rinses.)		
(A) Haircoloring	20	15
(B) Bleaching		5
(13) Scalp and Hair Treatments (Shall include hair analysis, scientific brushing.)	2	5
(14) Facials (A) Manual (Shall include cleansing, scientific manipulations, packs, and masks.)	2	5
(B) Electrical (Shall include the use of all electrical modalities, including dermal lights and electrical apparatus for facials and skin care purposes.)	7	5
(C) Chemicals (Shall include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be		

removed, and only for the purpose of beautification. All practical operations must be performed in accordance with Section 992 regarding skin peeling.)

(15) Eyebrow Arching and Hair Removal (Shall include the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.)

10 15

(16) Makeup

(Shall include skin analysis, complete and corrective makeup, lash and brow tinting, and the application of false eyelashes.)

5 5

(17) Manicuring and Pedicuring

(A) Water and oil manicure, including nail analysis, and hand and arm massage.

5 10

(B) Complete pedicure, including nail analysis, and foot and ankle massage.

1 3

(C) Artificial nails

1. Acrylic: Liquid and powder brush-ons

5 10 Nails

2. Artificial nail tips

3 10 Nails

3. Nail wraps and repairs

2 5 Nails

(c) The board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service record cards.

(d) No credit of any type shall be given for time spent in laundering towels or in washing or scrubbing floors, walls, woodwork, toilets, or windows.

NOTE: Authority cited: Sections 7312, 7362 and 7390, Business and Professions Code. Reference: Sections 7316(b), 7321(d)(4), 7362, 7389 and 7390, Business and Professions Code.

#### **950.10. Credit for Special License and Transfer of Training**

(a) A student transferring from one course of study to another, or a holder of a special license (e.g., manicurist or esthetician) who enrolls in a general course of study (e.g., cosmetologist), shall receive credit for total clock hours completed and credit for and a balance of the minimum hours of technical instruction and the minimum practical operations required in each applicable subject as follows:

(1) Total Clock Hours Credit.

(A) Cosmetologist course to esthetician course. A student transferring from the cosmetologist course to the esthetician course shall receive a credit of 35 percent of the total clock hours earned while enrolled in the cosmetologist course.

(B) Cosmetologist course to manicurist course. A student transferring from the cosmetologist course to the manicurist course shall receive a credit of 20 percent of the total clock hours earned while enrolled in the cosmetologist course.

(C) Esthetician course to cosmetologist course. A student transferring from the esthetician course to the cosmetologist course shall receive a credit of 65 percent of the total clock hours earned while enrolled in the esthetician course. A holder of a esthetician license enrolling in the cosmetologist course shall receive a credit of 65 percent of the total clock hours required for the esthetician course.

(D) Manicurist course to cosmetologist course. A student transferring from the manicurist course to the cosmetologist course shall receive a credit of 70 percent of the total clock hours earned while enrolled in the

manicurist course. A holder of a manicurist license enrolling in the cosmetologist course shall receive a credit of 70 percent of the total clock hours required for the manicurist course.

(2) Credit and balance for the minimum hours of technical instruction and minimum practical operations required. A student transferring from one course of study to another, or a holder of a special license who enrolls in a general course of study, shall receive a credit and balance for the minimum hours of technical instruction and minimum practical operations required by subtracting the number of hours and operations earned by the student or licensee while enrolled in the prior course from the minimum hours of technical instruction and minimum practical operations required for the new course in each applicable subject. If the student has earned more hours or operations in the prior course than are required in a specific subject of the new course, then that student's balance of hours and operations required in that subject shall be zero.

(b) Credit for a special course shall not be given to a student in the cosmetologist course until completion of the number of hours of instruction and training in a school of cosmetology which, when added to the number of hours for which the student is entitled to credit for the special course, will equal the minimum number of hours required for completion of the cosmetologist course.

(c) Training received as an apprentice shall not be credited toward a course of training in a school. Training received in a school shall not be credited toward training in an apprenticeship program.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7367, Business and Professions Code.

#### **950.12. Work upon Paying Patrons**

(a) A student enrolled in a school shall not be permitted to work upon a patron paying for services until he or she has completed the freshman period of training and instruction. The freshman period shall be 10 percent of the total training hours specified for each course.

(b) A student enrolled in a school shall not be permitted to work upon a patron paying for a service until the student has completed technical instruction and practical training in the service for which a patron is paying.

(c) For the purpose of this section, technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination; practical training shall mean the actual performance by the student of a complete service on another person or on a mannequin.

NOTE: Authority cited: Sections 7312 and 7362, Business and Professions Code. Reference: Sections 7362(b), 7362.5, 7364, 7365, and 7366, Business and Professions Code.

#### **961. Text and Reference Books for Students**

(a) In teaching, schools shall use text and reference books approved by the board. They may use other teaching material to supplement the approved text and reference books.

(b) Each student shall possess the following:

(1) At least one (1) of the textbooks approved by the board.

(2) The Performance Criteria developed by the board.

(3) The Barbering and Cosmetology Act and the Rules and Regulations of the Board of Barbering and Cosmetology.

(c) There shall be available for the use of students in the school:

(1) A list of the text and reference books approved by the board.

(2) Any two approved texts other than the one text possessed by the student. (Shall not apply to barber schools if there are less than three approved texts.)

NOTE: Authority cited: Sections 7312 and 7362, Business and Professions Code. Reference: Section 7362, Business and Professions Code.

### **Article 8.5 Externship**

#### **962. Definitions**

(a) For purposes of Section 7395.1 as specified in subdivision(c)(3) of the Business and Professions Code, the term "good standing" means the following:

(1) The licensee maintains a valid, current barber, cosmetology, esthetician, or manicurist license issued by the Board of Barbering and Cosmetology.

(2) There is no current or pending discipline against the license pursuant to Article 11 of the Barbering and Cosmetology Act.

(3) The licensee has no unpaid fine issued pursuant to Article 12 of the Barbering and Cosmetology Act.

(b) For purposes of Section 7395.1 as specified in subdivision(g)(3) of the Business and Professions Code, the term "appropriate training" means the student extern has completed 60% of the required minimum practical operations and minimum hours of technical instruction set forth in Sections 950.2-950.4 of this division.

(c) For purposes of Section 7395.1 as specified in subdivision(g)(3) of the Business and Professions Code, the term "chemical treatment" means any product or procedure, including the preparation and/or application of the product, that alters or changes the molecular structure of the hair, skin or nails through the chemical treatments. These treatments may include, but are not limited to the following:

(1) permanent waving

(2) soft permanent waving

(3) chemical straightening

(4) sodium hydroxide and other base solutions

(5) hair coloring and bleaching (semi-permanent and permanent)

(6) chemical skin peel products

(7) depilatory products

(8) lash and brow tinting products

(d) For purposes of Section 7395.1 subdivision(g)(3) of the Business and Professions Code, the term "direct and immediate supervision" means the student extern may work on a paying client, only in an assisting capacity, when a

designated licensee is present to oversee the work process. The tasks performed by the student extern must be within the scope of practice of the designated licensee who is supervising the student extern.

(e) For purposes of Section 7395.1 subdivision(g)(3) of the Business and Professions Code, the term "directly supervised" means the student extern may not use or apply chemical treatments unless a designated licensee is present to oversee the work process. The tasks performed by the student extern must be within the scope of practice of the designated licensee who is supervising the student extern.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

### **962.1 Notification of Participation in the Cosmetology Externship Program**

(a) It is the responsibility of each participating school to ensure that the establishments and licensees participating in the cosmetology externship program remain in good standing as defined in Section 962. Any change in "good standing" status of a participating establishment or licensee will require the establishment or licensee to withdraw from the program.

(b) Board notification by schools and establishments participating in the Cosmetology Externship Program shall be submitted to the board in writing. Notification of participation shall be updated annually to allow for continued participation in the program. The notification shall be prepared by the school and shall include the following information:

(1) The school's name, address, telephone number, and school code issued by the board.

(2) The establishment's name, address, telephone number, and license number issued by the Board.

(3) The establishment owner's name.

(4) A statement, dated and signed under penalty of perjury by the school, and the establishment that all information on the document is true and correct and that the school and establishment have complied with all requirements of this Article and Section 7395.1 of the Business and Professions Code. The statement shall be worded as follows: "We the undersigned, certify under penalty of perjury under the laws of the State of California, that all the information contained herein is true and correct. We have complied with all requirements of Article 8.5 of Division 9 of Title 16 of the California Code of Regulations and Section 7395.1 of the Business and Professions Code".

(5) The document must include the name and title of the individual signing for the school clearly printed or typed.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

### **962.2 Laminated School Identification**

(a) While working in an approved establishment, all students participating in the externship program shall have in their possession a school laminated photographic identification card.

(b) The school laminated photographic identification card shall be at least 2½" x 3½" in size and contain the following information: the student extern's full name (first, middle initial, last); a current, color, full face photograph of the extern at least 1½" x 1½" in size; the term "STUDENT EXTERN" in type at least 14 point; and the name of the school of cosmetology where the student extern is enrolled.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

### **962.3 Externship Curriculum for Cosmetology Students**

(a) Total clock hour credit toward graduation for a student extern participating in a cosmetology externship program is limited to 160 hours.

(b) For purposes of this section, technical instruction shall mean instruction by demonstration, lecture, student extern participation or examination; practical operations required shall mean the actual performance by the student extern of a complete service on another person. Technical instruction and practical operations required to be covered in the externship program for cosmetology student externs, as well as the maximum credit to be gained in each area, include:

	Maximum Hours of Technical Instruction	Maximum Practical Operations
Disinfection and Sanitation	2	1
Wet Hair Styling	10	20
Thermal Hair Styling	10	10
Press and Curl	0	3
Permanent Waving	10	10
Chemical Straightening	4	5

Haircutting	10	10
Haircoloring and Bleaching	10	8
Scalp and Hair Treatments	0	2
Facials (Manual)	1	1
Facials (Electrical)	1	2
Facials (Chemical)	1	2
Eyebrow Arching and Hair Removal	1	2
Makeup	2	1
Manicuring (Water and Oil)	1	2
Pedicure	1	2
Acrylic Nails	2 nails	5 nails
Artificial Nail Tips	2 nails	5 nails
Nail Wraps and Repair	1 nail	2 nails

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

#### **962.4 Externship Curriculum for Skin Care Students**

(a) Total clock hour credit toward graduation for a student extern participating in a skin care externship program is limited to 60 hours.

(b) For purposes of this section, technical instruction shall mean instruction by demonstration, lecture, student extern participation or examination; practical operations required shall mean the actual performance by the student extern of a complete service on another person. Technical instruction and practical operations required to be covered in the externship program for skin care student externs, as well as the maximum credit to be gained in each area, include:

	Maximum Hours of Technical Instruction	Maximum Practical Operations
Disinfection and Sanitation	2	2
Facials - Manual	8	8
Facials - Electrical	4	6
Facials - Chemical	4	4
Eyebrow Arching & Hair Removal (Tweezers)	4	5
(Wax and Depilatories)	8	6
Make up	8	6

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

#### **962.5 Externship Curriculum for Nail Care Students**

(a) Total clock hour credit toward graduation for a student extern participating in a nail care externship program is limited to 40 hours.

(b) For purposes of this section, technical instruction shall mean instruction by demonstration, lecture, student extern participation or examination; practical operations required shall mean the actual performance by the student extern of a complete service on another person. Technical instruction and practical operations required to be covered in the externship program for nail care student externs, as well as the maximum credit to be gained in each area, include:

	Maximum Hours of Technical Instruction	Maximum Practical Operations
Disinfection and Sanitation	1	2
Water and Oil Manicures	3	6
Pedicures	3	3
Acrylic Nails	4 nails	8 nails
Artificial Nail Tips	4 nails	6 nails
Nail Wraps and Repair	3 nails	4 nails

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

**962.6 Externship Curriculum for Cosmetology Crossover Course for Barber Students**

(a) Total clock hour credit toward graduation for a student extern participating in a cosmetology crossover course externship program is limited to 40 hours.

(b) For purposes of this section, technical instruction shall mean instruction by demonstration, lecture, student extern participation or examination; practical operations required shall mean the actual performance by the student extern of a complete service on another person. Technical instruction and practical operations required to be covered in the externship program for nail care student externs, as well as the maximum credit to be gained in each area, include:

	Maximum Hours of Technical Instruction	Maximum Practical Operations
Disinfection and Sanitation	2	1
Wet Hair Styling	1	4
Thermal Hair Styling	1	2
Press and Curl	1	3
Permanent Waving	1	2
Chemical Straightening	1	2
Haircutting	0	1
Haircoloring and Bleaching	2	2
Facials (Chemical)	1	2

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7395.1, Business and Professions Code.

**Article 9. Licenses****965. Display of Licenses**

- (a) All operators' licenses shall be conspicuously posted at their primary work stations.
- (b) All establishment licenses shall be conspicuously posted in the reception areas.
- (c) No license which has expired or become invalid for any reason whatever shall be displayed by any person in connection with the practices as defined in Section 7316 of the Business and Professions Code. Any license so displayed shall be surrendered to the board upon its request.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7316, 7317, 7332, 7342, 7397, 7414, 7415, 7417, 7418, 7419, and 7420, Business and Professions Code.

**966. Inactive Barber and Cosmetology Instructor License Status**

- (a) Licensed barber and cosmetology instructors shall be given the opportunity, during the license renewal process, to be designated "Inactive."
- (b) A licensee's active status shall be restored upon notification from the board confirming the receipt of the licensee's request for restoration to active status and verification of compliance with continuing education requirements.
- (c) An inactive license status shall not bar any disciplinary action by the board against a licensee for any of the causes stated in the Business and Professions Code, Division 3, Chapter 10, Section 7301-7426, inclusive.

NOTE: Authority cited: Sections 7312, Business and Professions Code. Reference: Sections 7392, 7393, and 7394, Business and Professions Code.

**Article 10. Disciplinary Proceedings****969. Delegation of Certain Functions**

The power and discretion conferred by law upon the board to receive and file accusations; issue notices of hearing, statements to respondent and statements of issues; receive and file notices of defense; determine the time and place of hearings under Section 11508 of the Government Code; issue subpoenas and subpoenas duces tecum; set and calendar cases for hearing and perform other functions necessary to the business-like dispatch of the business of the board in connection with proceedings under the provisions of Sections 11500 through 11528 of the Government Code, prior to the hearing of such proceedings; and the certification and delivery or mailing of copies of decisions under Section 11518 of said code are hereby delegated to and conferred upon the executive officer, or, in the executive officer's absence from the office of the board, the acting executive officer.



NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7310 and 7403, Business and Professions Code.

#### **970. Substantial Relationship Criteria**

For the purpose of denial, suspension, or revocation of a license issued under Chapter 10 of Division 3 of the Business and Professions Code pursuant to Division 1.5 (commencing with Section 475) of that same code, a crime or act shall be considered substantially related to the qualifications, functions, and duties of the licensee if to a substantial degree it evidences present or potential unfitness of the licensee to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. The crimes or acts shall include, but not be limited to, those involving the following:

- (a) Any violation of the provisions of Chapter 10 of Division 3 of the Business and Professions Code.
- (b) Criminal offenses, including but not limited to, lewd conduct, or use or sale of drugs or narcotics, committed in the course of or in association with the performance of the functions or duties authorized by such license.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 135, 163.5, Division 1.5 (Section 475, et seq.), 7321, 7321.5, 7324, 7326, 7330, 7333 and 7404, Business and Professions Code.

#### **971. Criteria for Rehabilitation**

(a) When considering the denial of a license, pursuant to Section 480 of the Business and Professions Code, for which application has been made under Chapter 10, Division 3 of the Business and Professions Code, the board, in evaluating the rehabilitation of the applicant and his or her present eligibility for a license, shall consider the following criteria:

- (1) The nature and the severity of the act(s) or crime(s) under consideration as grounds for denial.
- (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
- (3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).
- (4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(b) When considering the suspension or revocation of a license, issued under Chapter 10, Division 3 of the Business and Professions Code under Section 490 of that same code, the board, in evaluating the rehabilitation of such person and his or her present eligibility for a license, shall consider the following criteria:

- (1) Nature and severity of the act(s) or offense(s).
- (2) Total criminal record.
- (3) The time that has elapsed since commission of the act(s) or offense(s).
- (4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

(c) When considering a petition for reinstatement of a license, the board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria of rehabilitation specified in subsection (b).

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Division 1.5 (Sections 475, et seq.), 7321, 7321.5, 7324, 7326, 7330, 7333 and 7404, Business and Professions Code.

#### **972. Disciplinary Guidelines**

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the board shall consider the disciplinary guidelines entitled "Disciplinary Guidelines" (September, 1998 Edition) which are hereby incorporated by reference. Deviation from these guidelines, including the standard terms of probation, is appropriate where the board in its sole discretion determines the facts of the particular case warrant such a deviation -- for example: the presence of mitigating factors; the age of the case; evidentiary problems.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7404, Business and Professions Code.

### **Article 11. Administrative Fines and Citations**

#### **974. Schedule of Administrative Fines**

(a) An administrative fine may be assessed for the first, second, and third violations of the specified sections of the Business and Professions Code and Title 16 of Division 9 of the California Code of Regulations as follows:

Section	1st Violation	2nd Violation	3rd Violation	Correctable
*7317	500	750	1,000	Yes
7320	100	250	500	No
7320.1	100	250	500	No
7320.2	100	250	500	No
7336	25	50	150	No
7347	500	750	1,000	Yes
7348	25	50	150	Yes
*7349	500	750	1,000	No/Yes**
7349.1	25	50	150	Yes
7350	25	50	150	Yes
7351	25	50	150	Yes
7352	25	50	150	Yes
7358	25	50	150	Yes
*7359	500	750	1,000	No/Yes**
7360	25	50	150	Yes
904(d)	50	150	300	No
905	25	50	150	Yes
920	25	50	150	Yes
965(a)	25	50	150	Yes
965(b)	25	50	150	Yes
965(c)	25	50	150	Yes
978(a)(4)	25	50	150	Yes
978(a)(5)	25	50	150	Yes
978(a)(6)	50	150	300	Yes
978(b)	25	50	150	Yes
978(c)	25	50	150	Yes
979(a)	100	250	500	No
979(b)	25	50	150	Yes
979(c)	25	50	150	Yes
979(d)	25	50	150	Yes
980(a)	25	50	150	Yes
980(b)	25	50	150	Yes
980.1	100	250	500	No
981(a)	25	50	150	Yes
981(b)	25	50	150	Yes
982	100	250	500	No
983(a)	25	50	150	Yes
983(b)	25	50	150	Yes
984	100	250	500	No
988(a)	25	50	150	No
988(b)	25	50	150	No
988(c)	25	50	150	No
988(d)	25	50	150	No
989	25	50	150	Yes
993	25	150	300	No
995(b)	25	150	300	Yes
995(c)	25	50	150	Yes
995(d)	25	150	300	Yes
995(e)	25	150	300	Yes

\*Fines for these violations shall be assessed at one-half the established amount when the violation results from a licensee working with an expired license or when an establishment owner allows an employee (including booth renters/independent contractors) to work with an expired license.

\*\*When this violation occurs as a result of an establishment owner allowing an employee (including booth renters/independent contractors) to work with an expired license, the fine for a first offense can be avoided as provided for in Section 7409 of the Business and Professions Code.

(b) A violation indicated in subdivision (a) as not correctable means that the fine for the first violation may not be avoided as provided for in Section 7409 of the Business and Professions Code.

NOTE: Authority cited: Sections 7312 and 7407, Business and Professions Code. Reference: Sections 7406 and 7409, Business and Professions Code.

#### **974.1 Disciplinary Review Committee**

- (a) The disciplinary review committee of the Board shall be composed of three (3) members of the board.
- (b) The board president, in his or her discretion, may appoint multiple disciplinary review committees.
- (c) The board president shall annually appoint members of the disciplinary review committee; the appointment will be made concurrently with the annual election of the Board President.
- (d) The board president shall select the dates and locations of the informal citation review hearings held before the disciplinary review committee.

NOTE: Authority cited: Sections 7312 and 7410, Business and Professions Code. Reference: Section 7410, Business and Professions Code.

#### **974.2 Appeal to Disciplinary Review Committee**

- (a) In addition to requesting a hearing provided for in Section 7411 of the Business and Professions Code, the cited person may within thirty (30) days of the date the notice of violation or citation was issued, notify the Board in writing of his or her request for an informal citation review hearing before the disciplinary review committee.
- (b) Upon receipt of a timely written request, the board staff shall schedule the cited person for the next hearing to be held in the general vicinity of the cited person's address of record and which is at least forty five (45) days after the board's receipt of the request for the hearing. The board staff shall, at least thirty (30) days before the date of the hearing, mail written notice to the cited person of the date, time, and location of the hearing.
- (c) The cited person shall appear and may bring legal counsel or an authorized representative to the hearing and may present written information and/or oral testimony to the disciplinary review committee.
- (d) The cited person may contest or appeal any of the following aspects of the citation or notice of violation:
  - (1) The occurrence of a violation of the Barbering and Cosmetology Act or the regulations adopted by the board;
  - (2) The period of time for correction, if any; and/or
  - (3) The amount of the fine.
- (e) At the conclusion of the informal citation review hearing, the disciplinary review committee may elect to continue the hearing or to hold the record open for the cited person to present additional information to the committee. If the disciplinary review committee elects to continue the hearing, it will be continued until the next scheduled hearing to be held in the general vicinity of the cited person's address of record. Board staff shall give notice to the cited person of the date, time, and location of the continued hearing in accordance with subsection(b). If the disciplinary review committee elects to hold the record open for submission of additional written information, the cited person must provide the additional written information to the same disciplinary review committee prior to its next scheduled meeting, and the committee shall close the record and consider the matter at its next scheduled meeting.
- (f) The disciplinary review committee may affirm, modify or dismiss the citation, including any fine. In no event shall the violations recorded on the citation or notice of violation or the administrative fines be increased. The disciplinary review committee may consider the history of previous violations of the same or similar nature in determining its decision in the matter. A written decision based on findings of fact shall be mailed to the cited person and his or her legal counsel, if any, within thirty (30) days from the date of the informal citation review hearing. The effective date of the decision shall be thirty (30) days after it is mailed to the cited person, and the effective date shall be written in the decision. This decision shall be deemed to be a final order with regard to the citation issued, including the fine levied.
- (g) If the cited person fails to appear at the informal citation review hearing and fails to show good cause, as defined in Section 975 for the failure to appear, the administrative fine shall become final and there shall be no administrative appeal except as otherwise provided by law.
- (h) If the disciplinary review committee affirms or modifies the citation or notice of violation, including any fine, the cited person may, prior to the effective date of the decision of the disciplinary review committee, request in writing a hearing before an administrative law judge pursuant to section 7411 of the Business and Professions Code. If the disciplinary review committee dismisses the citation or notice of violation in its entirety, any request for a hearing before an administrative law judge shall be deemed to be withdrawn.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7410, 7412 and 7413, Business and Professions Code.

#### **975. Good Cause for Failure to Appear for Hearing**

The board defines "good cause" for the purpose of Business and Professions Code Section 7413 as follows: Personal illness, auto accident, death or severe illness in the immediate family or other severe physical or emotional

hardship. Any condition to be considered good cause by the board must be verified in writing (i.e., letter from a physician, official accident report, obituary notice).

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7413, Business and Professions Code.

#### **976. Citations: Unlicensed Activity**

A citation containing an order of abatement or an order to pay an administrative fine may be assessed against any person, firm, or corporation who is engaged in barbering, cosmetology or any of its branches, or electrolysis for compensation without a valid, unexpired license issued by the board.

All citations issued pursuant to this section shall meet the requirements of section 125.9 of the Code.

NOTE: Authority cited: Section 7312 Business and Professions Code. Reference: Sections 125.9, 148, and 7317, Business and Professions Code.

### **Article 12. Health and Safety**

#### **978. Minimum Equipment and Supplies**

(a) Establishments and schools shall have and maintain the following minimum equipment and supplies:

- (1) At least one covered waste receptacle for the disposal of hair.
  - (2) Closed receptacles to hold all soiled towels, gowns and sheets in public areas.
  - (3) Closed, clean cabinets to hold all clean towels.
  - (4) Containers for disinfectant solution for instruments and equipment to be disinfected.
  - (5) Each container shall contain sufficient disinfectant solution to allow for the total immersion of tools and instruments.
  - (6) If electrolysis is performed, a steam or dry heat sterilizer that meets the requirements of Section 982.
- (b) Establishments and schools shall have disinfectant solution mixed according to manufacturer's directions, available for use at all times.
- (c) A manufacturer-labeled container for the disinfectant used must be available at all times in the establishment or school.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **979. Disinfecting Non-Electrical Instruments and Equipment**

- (a) Before use upon a patron, all non-electrical instruments shall be disinfected in the following manner:
- (1) Clean with soap or detergent and water.
  - (2) Then totally immerse in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity, used according to manufacturer's instructions.
- (b) The disinfectant solutions specified in subdivision (a) shall:
- (1) Remain covered at all times.
  - (2) Be changed at least once per week or whenever visibly cloudy or dirty.
- (c) All instruments that have been used on a patron or soiled in any manner shall be placed in a properly labeled receptacle.
- (d) All disinfected instruments shall be stored in a clean, covered place which is labeled as such.
- (e) If instruments and equipment specified in this section are sterilized in accordance with the requirements outlined in Section 982, the requirements of this section will be deemed to have been met.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **980. Disinfecting Electrical Instruments**

- (a) Clippers, vibrators, and other electrical instruments shall be disinfected prior to each use by:
- (1) First removing all foreign matter; and
  - (2) Disinfecting with an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer's instructions.
- (b) All disinfected electrical instruments, excluding curling irons and hot combs, shall be stored in a clean, covered place.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

**980.1 Cleaning and Disinfecting Whirlpool Footspas**

- (a) As used in this section, “whirlpool footspa” or “spa” is defined as any basin using circulating water.
- (b) After use upon each patron, each whirlpool footspa shall be cleaned and disinfected in the following manner:
  - (1) All water shall be drained and all debris shall be removed from the spa basin.
  - (2) The spa basin must be cleaned with soap or detergent and water.
  - (3) The spa basin must be disinfected with an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to manufacturer’s instructions.
  - (4) The spa basin must be wiped dry with a clean towel.
- (c) At the end of each day, each whirlpool footspa shall be cleaned and disinfected in the following manner:
  - (1) The screen shall be removed, all debris trapped behind the screen shall be removed, and the screen and the inlet shall be washed with soap or detergent and water.
  - (2) Before replacing the screen the screen shall be totally immersed in an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity which must be used according to the manufacturer’s instructions.
  - (3) The spa system shall be flushed with low sudsing soap and warm water for at least 10 minutes, after which the spa shall be rinsed and drained.
- (d) Every other week (bi-weekly), after cleaning and disinfecting as provided in subsection (c) above, each whirlpool footspa shall be cleaned and disinfected in the following manner:
  - (1) The spa basin shall be filled completely with water and 1 teaspoon of 5.25% bleach for each 1 gallon of water, or a solution of sodium hypochlorite of approximately 50 ppm used according to manufacturer’s instructions.
  - (2) The spa system shall be flushed with the bleach and water solution, or sodium hypochlorite solution, for 5 to 10 minutes and allowed to sit for 6 to 10 hours.
  - (3) The spa system shall be drained and flushed with water before use upon a patron.
- (e) A record shall be made of the date and time of each cleaning and disinfecting as required by subdivisions (c) and (d), and indicate whether the cleaning was a daily or bi-weekly cleaning. This record shall be made at or near the time of cleaning and disinfecting. Cleaning and disinfecting records shall be made available upon request by either a patron or a bureau representative.
- (f) A violation of this section may result on an administrative fine and/or disciplinary action. Each footspa not in compliance with this section may result in a separate violation.

**981. Instruments and Supplies**

- (a) All instruments and supplies which come into direct contact with a patron and cannot be disinfected (for example, cotton pads, sponges, emery boards, and neck strips) shall be disposed of in a waste receptacle immediately after use.
- (b) No person working or training in an establishment or school shall be permitted to carry any instrument or supplies in or on a garment or uniform while practicing any of the acts as defined in Section 7316 of the Business and Professions Code.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

**982. Sterilizing Electrolysis Instruments**

- (a) Before use upon a patron in schools and establishments, each electrolysis needle or tweezers shall be first cleaned with detergent and water (which may include the use of ultrasonic equipment) and then be sterilized by one of the following methods:
  - (1) Steam sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer’s instructions.
  - (2) Dry heat sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer’s instructions.
- (b) Sterilization equipment shall be checked weekly to ensure that it is reaching the temperature required by manufacturer’s instructions.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

**983. Personal Cleanliness**

- (a) The person and attire of a licensee serving a patron shall at all times be clean.
- (b) Every licensee performing services shall thoroughly wash his or her hands with soap and water or any equally effective cleansing agent immediately before serving each patron.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **984. Disease and Infestation**

(a) No establishment or school shall knowingly permit a person afflicted with an infection or parasitic infestation capable of being transmitted to a patron to serve patrons or train in the establishment or school.

(b) No establishment or school shall knowingly require or permit a licensee or student to work upon a person with an infection or parasitic infestation capable of being transmitted to the licensee or student.

(c) Infections or parasitic infestation capable of being transmitted between licensee or student and patron include, but are not limited to, the following:

- Cold, influenza or other respiratory illness accompanied by a fever, until 24 hours after resolution of the fever.
- Streptococcal pharyngitis ("Strep throat"), until 24 hours after treatment has been initiated, and 24 hours after resolution of fever.
- Purulent conjunctivitis ("pink eye"), until examined by a physician and approved for return to work.
- Pertussis ("whooping cough"), until five days of antibiotic therapy has been completed.
- Varicella ("chicken pox"), until the sixth day after onset of rash or sooner if all lesions have dried and crusted.
- Mumps, until nine days after onset of parotid gland swelling.
- Tuberculosis, until a physician or local health department authority states that the individual is noninfectious.
- Impetigo (bacterial skin infection), until 24 hours after treatment has begun.
- Pediculosis (head lice), until the morning after first treatment.
- Scabies ("crabs"), until after treatment has been completed.

(d) Blood-borne diseases, such as HIV/AIDS and hepatitis B (HBV), shall not be considered infectious or communicable diseases for the purpose of this section.

(e) No person working or training in an establishment or school shall massage any person upon a surface of the skin or scalp where such skin is inflamed, broken (e.g., abraded, cut) or where a skin infection or eruption is present.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **985. Neck Strips**

A sanitary neck strip or towel shall be used to keep the protective covering from coming in direct contact with a patron's neck.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **986. Neck Dusters and Brushes**

Neck dusters and all other brushes used in an establishment or school on a patron shall be maintained in a clean and sanitary condition.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(d), Business and Professions Code.

#### **987. Towels**

(a) After a towel has once been used it shall be deposited in a closed receptacle and not used until properly laundered and sanitized.

(b) Towels shall be laundered either by regular commercial laundering or by a noncommercial laundering process which includes immersion in water at least 140°F for not less than fifteen (15) minutes during the washing or rinsing operation.

(c) All clean towels shall be stored in closed cabinets.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **988. Liquids, Creams, Powders and Cosmetics**

(a) All liquids, creams, and other cosmetic preparations shall be kept in clean and closed containers. Powders may be kept in clean shakers.

(b) All bottles and containers shall be distinctly and correctly labeled to disclose their contents. All bottles and containers containing poisonous substances shall be additionally and distinctly marked as such.

(c) When only a portion of a cosmetic preparation is to be used on a patron, it shall be removed from the container in such a way as not to contaminate the remaining portion.

- (d) Pencil cosmetics shall be sharpened before each use.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **989. Prohibited Hazardous Substances/Use of Products**

No establishment or school shall have on the premises cosmetic products containing hazardous substances which have been banned by the U. S. Food and Drug Administration for use in cosmetic products, including liquid methyl methacrylate monomer and methylene chloride. No product shall be used in a manner that is disapproved by the FDA.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **990. Headrests and Treatment Tables**

- (a) The headrest of chairs shall be covered with a clean towel or paper sheet for each patron.
- (b) Shampoo trays and bowls must be cleansed with soap and water or other detergent after each shampoo, kept in good repair and in a sanitary condition at all times.
- (c) Treatment tables must be covered with a clean sheet of examination paper for each patron.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

#### **991. Invasive Procedures**

- (a) No licensee may perform any act which affects the structure or function of living tissue of the face or body. Any such act shall be considered an invasive procedure.
- (b) Invasive procedures include, but are not limited to, the following:
  - (1) Application of electricity which contracts the muscle.
  - (2) Application of topical lotions, creams, or other substances which affect living tissue.
  - (3) Penetration of the skin by metal needles, except electrolysis needles.
  - (4) Abrasion of the skin below the non-living, epidermal layers.
  - (5) Removal of skin by means of a razor-edged instrument.

NOTE: Authority cited: Sections 7312, Business and Professions Code. Reference: Sections 7312(e), 7316, 7320, 7320.1, Business and Professions Code.

#### **992. Skin Peeling**

- (a) Only the non-living, uppermost layers of facial skin, known as the epidermis, may, by any method or means, be removed, and then only for the purpose of beautification.
- (b) Skin removal techniques and practices which affect the living layers of facial skin, known as the dermis, are prohibited and constitute the practice of medicine.
- (c) Only commercially-available products for the removal of facial skin for the purpose of beautification may be used. Mixing or combining skin removal products is prohibited except as it is required by manufacturer instructions.

NOTE: Authority cited: Sections 7312, Business and Professions Code. Reference: Sections 7312(e), 7316, and 7320, Business and Professions Code.

#### **993. Prohibited Instruments**

- (a) No establishment or school shall have on the premises any razor-edged or other device or tool which is designed to remove calluses.
- (b) No establishment or school shall have on the premises any needle-like instrument which is used for the purpose of extracting skin blemishes and other similar procedures.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7312(e), 7320, and 7320.1, Business and Professions Code.

#### **994. Cleanliness and Repair**

- (a) Establishments and schools shall keep the floors, walls, woodwork, ceilings, furniture, furnishing, and fixtures clean and in good repair.
- (b) No establishment or school shall permit an accumulation of waste or refuse.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

### **995. Building Standards**

(a) Establishments and schools shall have a system of adequate ventilation in accordance with the provisions of Section 705 of the Uniform Building Code of 1982, as referenced in Part 2, Chapter 7 of the matrix adoption tables, Title 24, California Code of Regulations.

(b) A supply of hot and cold running water shall be provided in accordance with Part 5, Section 1001(d)(1), Title 24 of the California Code of Regulations.

(c) Establishments and schools shall supply potable drinking water in accordance with Part 5, Section 1001(d)(3), Title 24, California Code of Regulations.

(d) Establishments and schools shall provide hand washing facilities in accordance with Part 5, Section 1001(d)(2), Title 24, California Code of Regulations.

(e) Establishments and schools shall provide public toilet rooms in accordance with Part 5, Sections 910(b), 910(c), and Table No. C-1, Title 24, California Code of Regulations.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7312(e) and 7352, Business and Professions Code.

## **Article 13. Revenue**

### **998. Schedule of Fees**

The following fees shall be charged by the board:

(a) Barbers:	
(1) Preapplication fee .....	9
(2) Application, examination and initial license fee .....	50
(3) License renewal fee .....	40 <sup>1</sup>
(4) License renewal delinquency fee .....	20 <sup>1</sup>
(b) Cosmetologists:	
(1) Preapplication fee .....	9
(2) Application, examination and initial license fee .....	50
(3) License renewal fee .....	40 <sup>1</sup>
(4) License renewal delinquency fee .....	20 <sup>1</sup>
(c) Estheticians:	
(1) Preapplication fee .....	9
(2) Application, examination and initial license fee .....	40
(3) License renewal fee.....	40 <sup>1</sup>
(4) License renewal delinquency fee .....	20 <sup>1</sup>
(d) Manicurists:	
(1) Preapplication fee .....	9
(2) Application, examination and initial license fee .....	35
(3) License renewal fee .....	40 <sup>1</sup>
(4) License renewal delinquency fee .....	20 <sup>1</sup>
(e) Electrologists:	
(1) Preapplication fee .....	9
(2) Application, examination and initial license fee .....	50
(3) License renewal fee .....	40 <sup>1</sup>
(4) License renewal delinquency fee .....	20 <sup>1</sup>
(f) Barber Instructors:	
(1) Application, examination and initial license fee .....	50
(2) License renewal fee.....	40 <sup>1</sup>
(3) License renewal delinquency fee .....	20 <sup>1</sup>
(g) Cosmetology Instructors:	
(1) Application, examination and initial license fee .....	50
(2) License renewal fee.....	40 <sup>1</sup>
(3) License renewal delinquency fee .....	20 <sup>1</sup>
(h) Apprentice application and license fee <sup>2</sup> .....	25
(i) Establishments:	



(1) Application and initial license fee .....	50
(2) License renewal fee.....	40 <sup>1</sup>
(3) License renewal delinquency fee .....	20 <sup>1</sup>
(j) Mobile Units:	
(1) Application fee.....	50
(2) Initial inspection and license fee .....	100
(3) License renewal fee.....	40 <sup>1</sup>
(4) License renewal delinquency fee .....	20 <sup>1</sup>

<sup>1</sup> Fees effective for all licenses expiring on or after July 31, 1993.

<sup>2</sup> Licenses of apprentices are not renewable.

NOTE: Authority cited: Sections 7312, 7337.5(b) and 7421, Business and Professions Code. Reference: Sections 7415, 7417, 7418, 7419, 7420, 7423, 7423.5, 7424, and 7425, Business and Professions Code.

### **999. Charge for Dishonored Check**

The charge for the return of a personal check without payment is ten dollars (\$10). This charge is required in addition to the reimbursement of the dishonored check.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 6157, Government Code.